

FORM RPM-BSP-PROPCHANGE-1

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF COMMUNITY PLANNING
BUREAU OF LOCAL PLANNING
2555 Shumard Oak Blvd.
Tallahassee, Florida 32399
850/488-4925

**NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY APPROVED
DEVELOPMENT OF REGIONAL IMPACT (DRI)
SUBSECTION 380.06(19), FLORIDA STATUTES**

Subsection 380.06(19), Florida Statutes, requires that submittal of a proposed change to a previously approved DRI be made to the local government, the regional planning agency, and the state land planning agency according to this form.

1. I, TASHA O. BUFORD, the undersigned owner/authorized representative of
E. LAMAR BAILEY as Agent for FALLSCHASE LAND COMPANY, hereby give
(developer)

notice of a proposed change to a previously approved Development of Regional Impact in
accordance with Subsection 380.06(19), Florida Statutes. In support thereof, I submit the
following information concerning the FALLSCHASE development, which information is
(original & current project names)

true and correct to the best of my knowledge. I have submitted today, under separate
cover, copies of this completed notification to LEON COUNTY,
(local government)

to the APALACHEE Regional Planning Council, and to the Bureau of Local

Planning, Department of Community Affairs.

June 28, 2005
Date

Tasha O. Buford (for)
Signature
Tasha O. Buford

2. Applicant (name, address, phone).

**Fallschase Land Company
4475 Buck Lake Road
Tallahassee, FL 32311
850/878-5300 - telephone
850/878-0729 - facsimile**

3. Authorized Agent (name, address, phone).

**Tasha O. Buford, Esq.
Young van Assenderp, P.A.
225 South Adams Street, Suite 200
Tallahassee, FL 32301
850/222-7206 - telephone
850/561-6834 - facsimile**

4. Location (City, County, Township/Range/Section) of approved DRI and proposed change.

Portions of Sections 22, 26 and 27, Township 1 North, Range 1 East, Leon County, Florida.

5. Provide a complete description of the proposed change. Include any proposed changes to the plan of development, phasing, additional lands, commencement date, build-out date, development order conditions and requirements, or to the representations contained in either the development order or the Application for Development Approval.

Indicate such changes on the project master site plan, supplementing with other detailed maps, as appropriate. Additional information may be requested by the Department or any reviewing agency to clarify the nature of the change or the resulting impacts.

There are three changes proposed in this Notice of Proposed Change. The first and second changes are the addition of two parcels to the original Fallschase DRI boundary. This addition of acreage will occur without increasing the amount of development within the DRI originally approved by Leon County. The incorporation of two new parcels allows for construction of the originally approved number of dwelling units and commercial development over a larger land area.

The third change entails deletion from the DRI boundaries of a small, 1+ acre parcel located north of U.S. Highway 90. This change is shown on Exhibit 3. There are no changes in the overall amount and type of development as a result of the deletion of this small parcel.

The Fallschase DRI Master Development Plan, submitted as Exhibit 2, sets out the Developer's plans for completion of the approved DRI. Although two parcels are proposed for addition into the DRI boundary and one for deletion, there are no increases proposed to the total amount of development approved. Because no buildout date or phasing schedule for completion of construction was originally required or approved, no change to a build-out date or phasing schedule is therefore proposed. Furthermore, no amendments to the Leon County 2010 Comprehensive Plan will be required for construction of this development.

When considering the changes proposed herein in concert with the criteria for substantial deviation in Section 380.06(19), Fla. Stat., the result is that the changes do not create a reasonable likelihood of additional regional impact, or any type of regional impact not previously reviewed by the Apalachee Regional Planning Agency, Leon County and Department of Community Affairs. Furthermore, the proposed changes do not meet or exceed any of the criteria set out in paragraph 380.06(19)(b), Fla. Stat.

Although there is proposed an addition of two parcels totaling 78± acres of land over which to spread already approved residential and commercial land uses, as stated above, this change results in no additional development and no significant impacts to environmental features or public facilities of regional significance. It does, however, allow for a more efficient and environmentally sensitive use of developable acreage. As a result, the presumption set out in subparagraph 380.06(19)(e)3. is rebutted by the information set out herein. Thus, the applicant maintains that the changes described in this Notice merit a finding of no substantial deviation.

6. Complete the attached Substantial Deviation Determination Chart for all land use types approved in the development. If no change is proposed or has occurred, indicate no change.

See chart attached.

7. List all the dates and resolution numbers (or other appropriate identification numbers) of all modifications or amendments to the originally approved DRI development order that have been adopted by the local government, and provide a brief description of the previous changes (i.e., any information not already addressed in the Substantial Deviation Determination Chart). Has there been a change in local government jurisdiction for any portion of the development since the last approval or development order was issued? If so, has the annexing local government adopted a new DRI development order for the project?

There are no prior changes to the approved plan of development.

8. Describe any lands purchased or optioned within 1/4 mile of the original DRI site subsequent to the original approval or issuance of the DRI development order. Identify such land, its size, intended use, and adjacent non-project land uses within 1/2 mile on a project master site plan or other map.

Two properties, a 60.35 acre parcel and a 17+ acre tract composed of several parcels have been purchased by the Developer for inclusion into the DRI plan of development. The 60.35 acre tract is located south of the intersection of Vernon Road and Dove Road in eastern Leon County and adjacent to the existing, approved Fallschase DRI. The 17+ acre tract is comprised of several assembled parcels. This commercial tract is located immediately south of Mahan Drive, on and across Old Buck Lake Road, west of new Buck Lake Road and at the northern border of the existing, approved DRI. Please refer to Exhibits 3 and 7 showing the properties proposed for addition to the DRI. To summarize, this proposed addition of properties to the DRI simply allows for a broader distribution of the approved number of dwelling units without any increase in the approved number of dwelling units. In addition, inclusion of the 17+acre tract allows more flexibility with respect to the most appropriate location of already approved office and retail square footage in conjunction with residential units, without increasing total square footage of any land use.

The discussion below addresses the existing status of the properties proposed for inclusion in the DRI. It is offered for the purpose of showing that the proposed inclusion of these two properties into the DRI boundary will result in no new unreviewed or otherwise adverse regional impacts pursuant to the standards and criteria of subsection 380.06(19), Fla. Stat.

60 Acre Parcel.

A. General Description:

The 60.35 acre parcel proposed for inclusion into the DRI is bordered on the south by the City of Tallahassee's Heritage Trail, on the east and west by vacant lands and on the north by single family residential uses. This site is located in the Tallahassee Hills Physiographic Region. The northern one-third of the site is a cleared agricultural field with tall weed growth in an early stage of succession. The remainder of the parcel is forested in a Pine-Mesic Oak Forest cover. The site contains well-drained, Orangeburg fine sandy loam soils. The 100 year floodplain overlaps the southern end of the parcel at the 51 foot contour. No native forest exists on this parcel. There are also no areas of severe grade or active karst features on the site.

B. Potential Impact of Development.

1) Field surveys of the 60 acre parcel did not reveal any habitat for endangered, threatened or species of special concern within the study area. The survey was conducted for both plant and animal species. Therefore, there will be no impacts to any endangered, threatened or species of special concern, plant or animal, as a result of developing the 60 acre parcel.

2) No springs or other water courses exist on the site. Because development on this parcel will be substantially limited to the area above the 51' contour and outside the 100 year floodplain, there will be no significant impact to the littoral resources.

3) The area of the site below the 51 feet NGVD contour is within the 100 year floodplain. In deference to the important topographic and environmental features found there and its recreational potential, there is no residential, commercial or mixed-use development planned below the 51 foot contour within the 60 acre parcel. Thus, no substantial development within the 100 year floodplain will occur within the Properties added pursuant to this Notice of Proposed Change.

4) No areas defined as severe slope exist on the 60 acre parcel.

5) There are no active Karst features on the parcel.

6) There are no known historical sites on the parcel.

17+ Acre Tract.

A. General Description:

The 17+ acre tract is located just south of Mahan Drive, on Old Buck Lake Road. The current Fallschase DRI boundary abuts the property (see Exhibit 4, Location Map).

B. Potential Impact of Development.

1) There are no springs, watercourses or waterbodies on the tract.

2) No 100 year floodplain or floodways are contained on the tract.

3) No wetlands are contained on the tract.

- 4) No native forest or high quality successional forest is contained on the tract.
- 5) No severe grades/slopes are contained on the tract.
- 6) There are no active Karst features on the tract.
- 7) The site contains no habitats of endangered or threatened animals or of animal species of special concern. No plant species which are endangered, threatened or species of special concern exist on the site.
- 8) There are no known historical sites on the parcel.

C. Public Facility Impacts.

1) Wastewater Service.

An on-site sewage treatment plant has been permitted by the Florida Department of Environmental Protection to provide sewage treatment services to Fallschase. DEP Permit No. FLA010172 was issued for the facility on January 17, 2001. The plant is operated by the Fallschase Utility L.C. pursuant to contract with the Fallschase Community Development District duly established pursuant to Chapter 190, Fla. Stat. Development distributed onto the parcels proposed for addition to the DRI will be served by the on-site sewage treatment plant. Therefore, there will be no unreviewed or additional regional impacts resulting from the provision of sewer service to the new properties.

2) Potable Water Service.

Potable water will be provided to the properties proposed for addition to the DRI in the same manner as for development within the original project boundaries. Therefore, there will be no additional or otherwise unreviewed adverse regional impact based on the provision of potable water to the DRI.

3) Transportation Facilities.

The attached Transportation/Traffic Report analyzes the impact of all traffic generated by Fallschase on affected roadways. The changes proposed herein, including the addition of two parcels and deletion of one, create no new or unreviewed regional impact on traffic facilities.

4) **Other Public Facilities.**

In addition to the public facilities discussed above, there will be no unreviewed or additional adverse regional impacts to other public facilities not specifically discussed herein as a result of the proposed changes to the DRI.

9. Indicate if the proposed change is less than 40% (cumulatively with other previous changes) of any of the criteria listed in Paragraph 380.06(19)(b), Florida Statutes.

Do you believe this notification of change proposes a change which meets the criteria of Subparagraph 380.06(19)(e)2., F.S.

YES _____ NO X

10. Does the proposed change result in a change to the buildout date or any phasing date of the project? If so, indicate the proposed new buildout or phasing dates.

There are no existing phasing schedules or final buildout dates approved with the original DRI. There are no changes proposed.

11. Will the proposed change require an amendment to the local government comprehensive plan?

No.

Provide the following for incorporation into such an amended development order, pursuant to Subsections 380.06 (15), F.S., and 9J-2.025, Florida Administrative Code:

12. An updated master site plan or other map of the development portraying and distinguishing the proposed changes to the previously approved DRI or development order conditions.

Please see the Exhibits attached hereto.

13. Pursuant to Subsection 380.06(19)(f), F.S., include the precise language that is being proposed to be deleted or added as an amendment to the development order. This language should address and quantify:

a. All proposed specific changes to the nature, phasing, and build-out date of the development; to development order conditions and requirements; to commitments and representations in the Application for Development Approval; to the acreage attributable to each described proposed change of land use, open space, areas for preservation, green belts; to structures or to other improvements

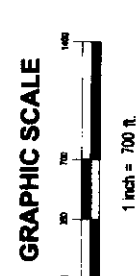
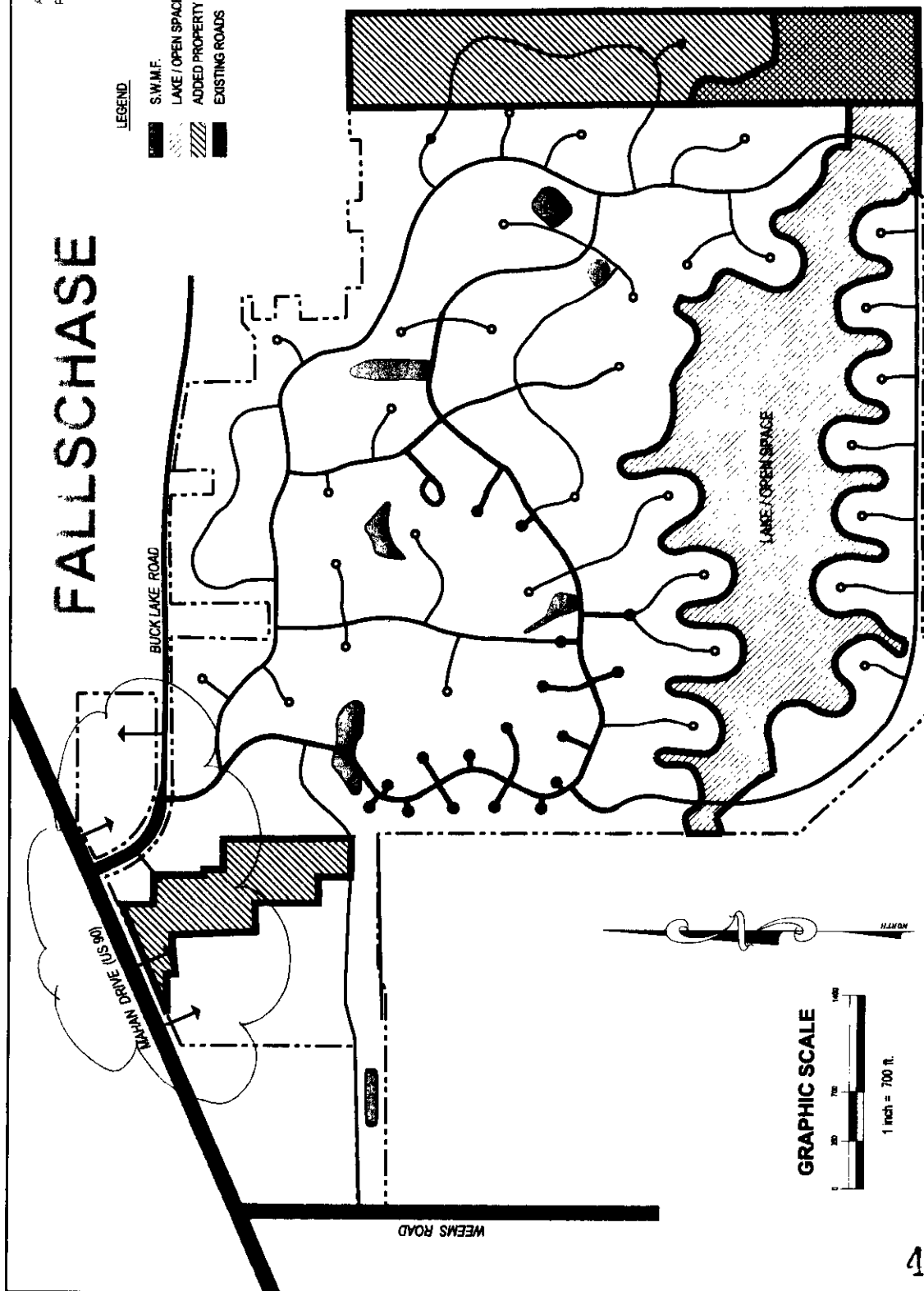
including locations, square footage, number of units; and other major characteristics or components of the proposed change;

- b. An updated legal description of the property, if any project acreage is/has been added or deleted to the previously approved plan of development;
- c. A proposed amended development order deadline for commencing physical development of the proposed changes, if applicable;
- d. A proposed amended development order termination date that reasonably reflects the time required to complete the development;
- e. A proposed amended development order date until which the local government agrees that the changes to the DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, if applicable; and
- f. Proposed amended development order specifications for the annual report, including the date of submission, contents, and parties to whom the report is submitted as specified in Subsection 9J-2.025 (7), F.A.C.

Attachment # 3
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FALLSCHASE

- LEGEND**
- S.W.M.F.
 - LAKE / OPEN SPACE
 - ADDED PROPERTY
 - EXISTING ROADS



NOTE:
 FINAL LOCATION AND CONFIGURATION OF OPEN SPACE
 AND STORMWATER FACILITIES SHALL BE DETERMINED
 AT THE TIME OF FINAL PERMITTING PER PHASE.

* The roadway connections noted on this map from Fallschase to Mahan Drive (US 90) and Buck Lake Road are conceptual and do not grant or infer County approval. Roadway connections required to implement the Fallschase PD's concept plan shall be determined and approved by the County during the review of subsequent final development plans.